

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAYBORN (UK) LIMITED, MAYBORN
USA, INC., and MAYBORN GROUP
LIMITED,

Plaintiffs,

- against -

COMOTOMO INC. and COMOTOMO
CORPORATION,

Defendants.

ORDER

22 Civ. 694 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

Defendants Comotomo Inc. and Comotomo Corporation have filed a motion to dismiss for improper venue under Fed. R. Civ. P. 12(b)(3) or to transfer this action to the Northern District of California in the interests of justice under 28 U.S.C. § 1406(a). (See Mot. (Dkt. No. 24); Def. Br. (Dkt. No. 25) at 4)

Under Rule IV(A) of this Court's Individual Rules of Practice in Civil Cases, pre-motion letters and “[p]re-motion conferences are required for . . . transfer motions [and] Fed. R. Civ. P. 12 motions.” In addition, under this Court’s “bundling rule,” Rule IV(C), parties may not file motions electronically on ECF until the motion is fully briefed. Defendants have not complied with either of these rules in filing their motion. Defendants will review this Court’s Individual Rules of Practice before making any additional filings in this matter.

Despite Defendants' non-compliance with the Court's Individual Rules, given the limited scope of Defendants' motion, the Court will set a briefing schedule at this time. The remaining briefing on Defendants' motion will proceed as follows:

- (1) Plaintiffs will file their opposition brief by June 22, 2022;
- (2) Defendants will file their reply, if any, by June 29, 2022.

Because Defendants have already filed their motion papers on ECF, the parties are directed not to comply with Rule IV(C) of this Court's Individual Rules of Practice in this instance.

Dated: New York, New York
June 1, 2022

SO ORDERED.



Paul G. Gardephe
United States District Judge